

AMENDED IN SENATE AUGUST 31, 2011

AMENDED IN SENATE AUGUST 30, 2011

AMENDED IN SENATE AUGUST 15, 2011

AMENDED IN SENATE JULY 5, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 12, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 959

Introduced by Assembly Member Jones

February 18, 2011

An act to add Section 11265.4 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 959, as amended, Jones. CalWORKs and CalFresh: reporting.

Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds.

Existing law, in addition to annual redetermination of eligibility for CalWORKs benefits, requires counties to redetermine recipient eligibility and grant amounts on a quarterly basis, using prospective budgeting. Under existing law, if a recipient fails to submit a complete quarterly report form, as defined, by a specified time, the county is required to notify the recipient that benefits will be terminated at the

end of the month, pursuant to specified notice procedures. ~~Existing law requires the county to rescind a discontinuance notice if it receives a completed report by the first working day of the next reporting period, or if the county determines that the recipient had good cause, as defined, for failing to submit a complete report form, as specified.~~

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program, under which nutrition assistance benefits, formerly referred to as food stamps, are allocated to each state by the federal government. Under existing state law, pursuant to CalFresh, California's federal allocation is distributed to eligible individuals by each county. Existing law requires the State Department of Social Services, to the extent permitted by federal law, regulations, waivers, and directives, to implement the prospective budgeting, quarterly reporting system provided for under the CalWORKs program for the administration of CalFresh benefits.

This bill would require a county to restore a recipient's benefits, on a prorated basis, if the recipient submits a complete report form within the month following the discontinuance for nonsubmission of a prescribed report form, as specified. ~~This bill would also revise the time period applicable to rescinding a discontinuance notice for benefits, to allow a recipient, before the last calendar day of the first month of the following reporting period, to submit a complete report.~~ This bill would impose a state-mandated local program by requiring the county to restore the recipient's benefits, on a prorated basis, if the recipient submits a completed report within that designated time.

Existing law requires, to the maximum extent allowable by federal law, that each county welfare department provide transitional CalFresh benefits to households terminating their participation in the CalWORKs program.

The bill would prohibit a recipient of transitional CalFresh benefits from receiving prorated CalFresh benefits during the same month.

This bill would provide that these provisions shall become operative on July 1, 2012, and would prohibit implementation of these provisions until the department has obtained specified federal approval.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11265.4 is added to the Welfare and
2 Institutions Code, to read:

3 11265.4. (a) If a recipient submits a complete report form
4 within the month following the discontinuance for nonsubmission
5 of a report form pursuant to Section 11265.1, the county shall
6 restore benefits to the household, without requiring a new
7 application or interview, and shall prorate benefits from the date
8 that the household provides the completed report form. These
9 households shall be considered recipient cases and shall not be
10 subject to applicant eligibility criteria. A recipient of transitional
11 CalFresh benefits shall not receive prorated CalFresh benefits
12 during the same month.

13 ~~(b) Notwithstanding any other law, including, but not limited~~
14 ~~to, Section 11265.1, a discontinuance notice shall be rescinded if~~
15 ~~a complete report is received prior to the last calendar day of the~~
16 ~~first month of the following reporting period.~~

17 ~~(e)~~

18 (b) This section shall not be implemented until the department
19 has obtained all necessary federal approvals under the federal Food
20 and Nutrition Act of 2008 (7 U.S.C. Sec. 2011 et seq.).

21 ~~(d)~~

22 (c) This section shall become operative on July 1, 2012.

23 SEC. 2. If the Commission on State Mandates determines that
24 this act contains costs mandated by the state, reimbursement to
25 local agencies and school districts for those costs shall be made
26 pursuant to Part 7 (commencing with Section 17500) of Division
27 4 of Title 2 of the Government Code.